

ALBUQUERQUE EVENING HERALD

THIRD EDITION.
VOL. 26, NO. 56.

ALBUQUERQUE, NEW MEXICO, WEDNESDAY, DECEMBER 6, 1911.

EVENING HERALD.
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M'NAMARAS ARE TO BE WITNESSES BEFORE GRAND JURY NEXT

There Is Considerable Doubt However, as to Value of Confessed Murderer's Testimony in Court Proceedings.

M'NAMIGAL WILL NOT BE SENTENCED YET

He at Least, Will Be Used to Trace Inception of Los Angeles Times Crime Before He Is Convicted.

(By Evening Herald A. P. Leased Wire) Los Angeles, Cal., Dec. 6.—Subpoenas for the McNamara brothers had not been issued up to noon today and Oscar Lawler, in charge of the government's investigation into the alleged dynamiting conspiracy, was debating with his assistants about the best way to secure the desired information from the two prisoners.

There is some question, it is said, as to the competency of testimony of a confessed murderer such as James H. McNamara and some indication as to the best way of bringing to the attention of the grand jury facts in the possession of John J. McNamara, Mr. Lawler and Edward A. Rosgate, assistant United States district attorney here, wrestled with legal phases of the matter today and as the grand jury does not convene until tomorrow it is expected that no decision would be reached before then. The brothers spent a gloomy day in their cell, looking out upon bleak, rainy streets. Sheriff Haunzel has orders not to move the prisoners until he hears from Mr. Lawler.

Interest today centered not only upon the grand jury proceedings that are to come, but upon expected revelations in the Franklin bribery case, which will be continued on Monday. These two things constitute the angles of the big case still remaining. The disposition of Orin E. McNamigal has not yet been determined upon, but it is a foregone conclusion that he will testify before the federal grand jury before he is brought to trial by the state and in his case at least the question of competency will be averted. Malcolm MacLaren, the local representative of the detective agency which arrested the McNamaras and McNamigal, conferred at length with Mr. Lawler today.

FREDERICKS IS MAN OF IRON NERVES

In the quest of the "men higher up," said to be involved in the Los Angeles dynamiting plot that resulted in the confinement of the McNamaras, John D. Fredericks, district attorney, is pretty certain to be a towering figure.

All through the trial of the brothers Mr. Fredericks has shown an unmistakable brand of judgment and energy. He and his associates were opposed by the cleverest counsel that could be obtained, but the trial was a regular progress of victories for the prosecution, even before the last stages, when outside events began to undermine the case of the defense.

Added to Mr. Fredericks' legal acumen is a large fund of personal popularity in California and a solid confidence, which resulted in his renomination at the last election and his ultimate victory, even opposed by the immensely popular "Lincoln-Roosevelt" wave of reform in his party.

In addition to being a stern and rather uncompromising individual, Mr. Fredericks is a man of imagination and distinctive sentiment. One of the best possible illustrations of the latter quality was shown a little more than a year ago when he attended a meeting of the Los Angeles "Votes for Women" club. Mr. Fredericks was invited to attend and speak on "Woman's Sphere in Politics," which he did, but first he got into the program in a very unexpected manner when the members were asked to sing a sort of parody on "America." Mrs. Bertha Withers Starkweather declining to sing the recognized version on the ground that America was not the "land of liberty," she proposed a substitute which called for women's votes and other things before admitting the land of liberty clause.

Mr. Fredericks remained silent until the proposal came to a vote, which practically was a tie. Then he arose and got into the debate.

"You are making history here to-night," he began. "In refusing to sing the national anthem. You are asking the right to vote, but you'll never get it by that sort of tactics. I am in favor of giving you suffrage, but you'll never get my vote by that attitude. There is a feeling in your attitude that the whole world will resent."

That was a power to most of the women, who speedily "reconsidered" and the real anthem was read aloud and then sung with enthusiasm—although there was a pretty strong "No" vote on the motion.

Whatever may be the trend of the investigation in the present complicated case of labor and the dynamiting outrage, it may be expected that Mr. Fredericks will look energetically after the work of his own fall property to the district he represents. He is that kind of man.

INDICTED PACKERS GIVE UP EFFORT TO DELAY CASE ANY LONGER

Wealthy Men Who Control Meat Products of Country Face Judge in Chicago Court and Enter Pleas.

NOT GUILTY SAYS HIGH PAID ATTORNEY

(By Evening Herald A. P. Leased Wire) Chicago, Dec. 6.—No apparent further effort to delay the trial in the United States district court was made or counsel for the beef packers when the case was called before Judge Carpenter today. Attorney John S. Miller asked that a plea of not guilty be entered for each of the packers. All of the defendants were in court.

The packers are: J. Ogden Armour, president of Armour & Company; Louis F. Swift, president of Swift & Company; Edward F. Swift, vice president of Swift & Company; Charles F. Swift, director of Swift & Company; Edward Tilden, president of the National Packing company, which the government contends is the illegal corporation, the trust; Arthur Meeker, general manager of Armour & Company; Edward Morris, president of Morris & Company; Francis A. Fowler, director of Swift & Company; Thomas J. Connors, superintendent of Armour & Company; and Louis H. Heyman, manager of Morris & Company.

The extreme penalty which can be given the defendants in case of conviction is a fine of \$5,000, or one year in jail, or both.

PRINCE REGENT IS FORCED TO GIVE UP THRONE TO ANOTHER

Father of the Child Emperor Abdicates in Favor of Shih Hsu, a Manchian and Chinese Politician.

FRENCH SOLDIERS START FOR PEKING

(By Evening Herald A. P. Leased Wire) Peking, Dec. 6.—Prince Chun, the regent and father of the child emperor, abdicated today.

His place as guardian of the throne was taken jointly by Shih Hsu, a former president of the national assembly by Shih Hsu, a Manchian prince and former president of the national assembly and Hsu Shi Chang, vice president of the privy council.

REVOLUTIONISTS ARE MAKING PROGRESS

San Francisco, Cal., Dec. 6.—Dispatches received here today from Shanghai by the Chung Hui Tai Po, report the capture of Wong Po, north of Hankow in the Hupeh province by the revolutionists.

A battle is said to be in progress about the town of Hsiao Kan, where the imperialists have made a decided stand.

FRENCH TROOPS ARE OFF TO PEKING

Hong Kong, Dec. 6.—A detachment of French troops consisting of 200 men of the Colonial Infantry and a battery of four guns arrived here today and have since sailed for Peking.

DOUBLE FATALITY IN AEROPLANE

Aviator and His Passenger Are Thrown From Machine and Both Die From Their Injuries.

(By Evening Herald A. P. Leased Wire) London, Dec. 6.—A double aviation fatality occurred at Filly, near Scarborough, Yorkshire, this morning. Hubert Gray, an aviator, was killed instantly and his passenger, Robert Weiss, suffered injuries from which he died soon after.

MILITARY DRILL BREAKS A RECORD

Paris, Dec. 6.—The military drill of the Adjutant General, beat the world's altitude record for dirigible balloons today by ascending 7,053 feet.

ALEXANDER WINS IN LOS ANGELES BY A MAJORITY OF 37,000

With Forty-Seven Precincts Missing Good Government Candidate for Mayor Has a Lead of 31,300.

JOB HARRIMAN IS PLEASED WITH GAINS

(By Evening Herald A. P. Leased Wire) Los Angeles, Cal., Dec. 6.—The total vote of 270 out of 317 precincts that participated in the election yesterday showed today: Mayor George Alexander (Good Government), 68,368.

Job Harriman (Socialist), 37,064. Alexander's majority, 31,300. The forty-seven missing precincts were expected to swell Alexander's lead to more than 37,000.

The prohibition amendment was beaten apparently by an even greater majority. The Good Government and Citizens' committee forces made a clean sweep for their ticket. At one time last night it seemed that Frank Wolfe, formerly editor of the Morning Herald, and Socialist candidate for council, might pull through, but later revised this morning crushed his hopes. Job Harriman defeated Socialist candidate for mayor, issued a statement today in which he asserted that the showing of the Socialists was in reality, a tremendous victory.

"Our campaign starts today," he declared. "We will take the legislature next year."

George Alexander, Good Government candidate for mayor, who defeated Job Harriman, Socialist, yesterday in the city election here, was leading nearly 17,000 votes at 8 o'clock this morning. At that time the votes in 174 of the 317 precincts had been counted. Alexander's vote in those precincts totaled 40,371 and Harriman's 23,335.

As the count progressed today statements were made by election officials that women cast nearly 75,000 votes, or more than half the total vote. The effect of this is shown today by statements of former prominent opponents of suffrage that they had been converted.

Election board members declared that the women not only out-voted the men in nearly all the precincts but showed more aptitude in handling the ballots. They cast their votes more quickly; they did not need as much coaching and explaining as the men and they worked harder than the men for their favorite candidates.

Predictions that a reduction in Joseph Scott's vote would show the effect of the McNamara case even more conclusively than the defeat of Harriman, were practically verified by later returns today. Scott, who was one of the attorneys for the dynamiters, is president of the municipal school board. He was candidate for re-election on the Good Government ticket and ran more than 40,000 votes behind the rest of his ticket.

ROCKEFELLER AND REV. GATES MAY BE HEARD

Steel Investigation Committee Sends Polite Request to Oil King and Minister to Answer Charges.

(By Evening Herald A. P. Leased Wire) Washington, D. C., Dec. 6.—John D. Rockefeller and Rev. Fred D. Gates, manager of Mr. Rockefeller's charities, were today invited by Chairman Stanley of the house steel trust investigating committee to appear before the committee next Monday. If they care to do so, to reply to charges by the Merritt Brothers of Minnesota, concerning the \$20,000,000 Mesaba ore properties in Minnesota.

JAMES HARLAN TO LAND GOOD JOB

President Taft Announces That He Will Name Son of Late Chief Justice As Commerce Commissioner.

(By Evening Herald A. P. Leased Wire) Washington, D. C., Dec. 6.—President Taft announced today that he would name to the senate probably Thursday the name of James S. Harlan, late state commerce commissioner, to continue in that position. Mr. Harlan, who is a son of the late Justice Harlan of the supreme court, will be nominated for a seven-year term.

FEDERAL CONTROL OF RECLAMATION STRONGLY URGED BY SPEAKERS

Prominent Students of Conservation of Waters and Lands in Irrigation Congress Make Strong Speeches

SWAMPS OF SOUTH ARE WORTH MILLIONS

Mr. Leake of New Orleans Declares That Useless Land of Today Can Be Drained for But Few Dollars.

(By Evening Herald A. P. Leased Wire) Chicago, Dec. 6.—Heavy support of federal control of all reclamation and irrigation projects was urged by speakers before the National Irrigation congress today. R. V. Fletcher, a delegate from Illinois, pointed out that many states were reluctant to surrender their rights and that this tendency retarded the whole reclamation movement. W. L. Park, vice president of the Illinois Central railroad, declared state control of reclamation would be impracticable, as no state had the resources properly to undertake the projects now recognized to be essential to the development of the arid sections of the west.

The expressions supporting federal control followed criticism that "bureaucratic red tape" in the government reclamation service was delaying irrigation, made by Fred White, a delegate from Montana. Hunter C. Leake of New Orleans told the congress that the swamp lands of the south could be drained for \$10 an acre, and that when drained they would be worth \$100 an acre.

Arizona, whose advent into the union of states was recently celebrated, had her day at the land show today. Citrus fruits, dates, figs and other tropical and semi-tropical products were on show to aid in getting favor for the new state.

Richard Allen of Arizona, John Orma, president of the Salt River Valley Water Users' association, R. V. Foster, president of the National Irrigation congress, and Dwight B. Heard were on the list of speakers.

Wyoming's exhibit of grains and grasses attracted crowds yesterday. If half of the present tourist travel to Europe could be diverted to the west, more than a quarter of a billion dollars would be poured annually into the west, according to C. J. Blanchard, statistician of the United States reclamation service, in an address before the National Irrigation congress here tonight.

Mr. Blanchard described the great natural scenic attractions of the west, declared the so-called American desert is disappearing and urged Americans to undertake an inspection trip through what was once the arid west.

Yellowstone Park, Glacier Park, Crater Lake, Yosemite Park, the Grand Canyon of Arizona, all present an infinite variety of scenic attractions which would make such a trip worth while on any trip to Europe, according to Mr. Blanchard.

"The knowledge of the west and its resources gained by the tourist would increase his confidence in western securities and would encourage larger investment," he said. "A wider knowledge of the west will in time compel congress to abandon its long continued policy of indifference and neglect of our parks and will bring more liberal appropriations for their management."

"Instead of a level plain of sunbaked, shifting sand, our desert is a region of varied and interesting topography, with every gradation of climate from semi-tropic to north temperate. It possesses all the scenic wonders that rival any in any country. In our desert proper are located all the important national parks, whose 5,990,000 acres of territory embrace more natural wonders than can be found in all other parts of the world."

"Our new secretary of the interior is advocating a definite and practical policy for the administration of these playgrounds of the people. He should have the hearty cooperation of every patriotic American whose pride of country extends beyond his own door yard."

"Two economic problems of obvious importance confront the people of the country today, viz: Increasing the opportunities for our citizens to acquire homes of their own and a larger production per acre of staple crops. While we have not yet reached the acute stage in the struggle for existence which prevails in many parts of the old world and the Orient, we are not far removed from that critical period when overpopulation and under production shall become vital questions with us."

"The enormous increase in the cost of the necessities of life furnish abundant evidence of the imperative need of better farming."

Mr. Blanchard described the accomplishments of the reclamation service. In eight years 7,000 miles of canal have been dug, 19 miles of tunnels have been excavated through mountains and three of the greatest irrigation dams in the world have been built. Water now is available for 1,058,000 acres of land upon which 14,000 families are now living.

(Continued on Page 3, Column 3.)

FITZGERALD SAYS M'VEAGH SENT MISLEADING FIGURES

Chairman of House Committee on Appropriation Declares That Treasurer's Estimates Are Not Correct.

PENSION LEGISLATION WILL BE ACTED ON

(By Evening Herald A. P. Leased Wire) Albany, N. Y., Dec. 6.—Albany welcomed the western governors and their party today. On the way from Utica the governor's special made a stop at Schenectady. A committee of citizens met the party at the station here and, under escort of troop B cavalry, proceeded to a local hotel, where Governor Dix and Mayor McEwan called a few minutes later to bid the governors welcome. Later the visitors went to the capitol and city hall to return the calls.

Governor Dix attended a luncheon at the hotel given by business men in honor of the visitors.

The plans for the afternoon included an automobile ride about the city and a reception at the executive mansion. The special is scheduled to leave Albany at 5:15 p. m. and will stop at Newburgh on the way to New York. Announcement was made that after leaving New York additional stops at Wilmington, Del., Lancaster, Pa., and Johnstown, Pa., have been arranged. Governor James H. Hawley of Idaho was unable to attend the luncheon on account of a cold.

Miscellaneous bills considered under call of committees. J. B. Rockefeller and Rev. F. D. Gates invited to appear Monday before steel committee.

Government estimates attacked as misleading by appropriations committee chairman.

Diplomatic recalls urged by Representative Berger, Socialist, on account of Russian passport trouble.

World's sugar prices probed by sugar inquiry committee.

Tariff plans discussed by Democrats on ways and means committee.

Congress probably will not act on Persian indolence.

Representative Sims claimed bill abolishing commerce court would be passed.

Railroad physical valuation bill introduced by Egan (Wisconsin).

Mine rescue work government liability bill passed.

Adjourned at 2:02 p. m. until noon Thursday.

DEMOCRATS START TO REVISE THE TARIFF

Underwood and His Committee in Session Today But No Announcement is Made Although Plans Are Discussed

(By Evening Herald A. P. Leased Wire) Washington, D. C., Dec. 6.—The first meeting of the Democratic members of the house committee on ways and means since the adjournment of congress last August was held today.

Chairman Underwood and his colleagues discussed the general tariff situation and considered the plan of action for the session.

No announcement was made. The committee, however, will begin at once the preliminary work of revising schedules. Included in the program for tariff revision will be wool, iron and steel, sugar, agricultural implements and food stuffs.

NEGROES BURNED IN TENNESSEE

Even Woman is Put to Death in Horrible Manner By Mob Because of Blacks Who Were Tenants on Land.

(By Evening Herald A. P. Leased Wire) Memphis, Tenn., Dec. 6.—Two negroes and one young negro were burned to death by a mob of white tenants who objected to the occupancy of land by negroes, near Savannah, Tenn., yesterday, according to meager reports received here today.

The lynching is said to have occurred ten miles from Clifton, Tenn.

GOVERNORS TODAY ARE IN ALBANY AS GUESTS OF THAT CITY

They Are Escorted to Hotel By Troop of Cavalry and Given a Luncheon By Governor and Business Men.

ANOTHER AUTO TRIP FOR THEM IS PLANNED

(By Evening Herald A. P. Leased Wire) Albany, N. Y., Dec. 6.—Great excitement reigns at San Genonimo and Oaxaca in connection with the killing of Jose Gomez, leader of the Juchitan rebellion, who was lynched yesterday at Rincon Antonio with eight of his partisans. Many of his former followers are flocking to these cities, protesting their loyalty to Gomez.

Last night crowds paraded the streets shouting against President Madero. There is much excitement and indignation because of the alleged "suspension of guarantees" in time of peace.

Special news dispatches from Merida appear to confirm the shooting without process at Helancu, Yucatan, of thirteen rebels captured by state troops from Campeche, who had crossed into Yucatan to put down an uprising.

The war department has received a report that 30 well armed rebels have been captured at Gomez near San Genonimo. Uprisings also are reported at Huatan and in the district of Tekax, southeast of Merida.

GENERAL REYES IS SAID TO BE ILL

San Antonio, Tex., Dec. 6.—Reports that General Bernardo Reyes, accused of violation of the neutrality laws and in whose name several insurrections are in progress in Mexico, has left an American, are denied today. At his residence he is declared to be still confined to his room by illness. Other reports assert that he has returned to Mexico by a secret route.

OROZCO WILL NOT SAY WHERE HE WAS

Chihuahua, Mex., Dec. 6.—General Pascual Orozco, former chief of Francisco I. Madero, concerning whose movements there have been many conflicting reports, appeared on the streets here about noon today. He declined to comment on the report, current here earlier in the day, that he had gone to the mountains with armed men or to throw any light on his movements.

THEY AGREE TO START THE DONATIONS

(By Evening Herald A. P. Leased Wire) Des Moines, Iowa, Dec. 6.—The Des Moines branch of the International Brotherhood of Painters, Decorators and Paper Hangers today announced that the union had adopted a resolution providing for the establishment of a national pension fund for the widows and orphans left by the Los Angeles Times disaster.

The local union members subscribed nearly \$100 for the defense of the McNamara brothers.

They now agree to raise twice that amount for the widows and orphans pension fund. The union will suggest that a commission be named to have charge of the fund raised.

ROOSEVELT WILL THROW SUPPORT TO LA FOLLETTE

George L. Record in Discussing Coming Campaign, Declares Only Hope is for a Break in Convention.

(By Evening Herald A. P. Leased Wire) St. Paul, Dec. 6.—George L. Record of Newark, N. J., addressing a meeting of the Republican progressives here today, said progressives were not so sure Theodore Roosevelt would not be a candidate for the presidential nomination.

"Our only hope," said Mr. Record, "is in a break in the convention. If that happens the first cry will be for Roosevelt, and then, we believe, he will throw his support to La Follette."

FIVE TRAINMEN ARE KILLED IN A WRECK

A Score of Others Were Injured When Two Freight and Passenger Engines in a Mix-Up in Pennsylvania.

(By Evening Herald A. P. Leased Wire) Pittsburgh, Pa., Dec. 6.—Five trainmen were killed and a score injured, a number of them seriously, this morning in a wreck of two freight and an express train on the Pennsylvania railroad at Devil's Bend, one half mile east of Maor, Penn.

JOSE GOMEZ KILLED WITH EIGHT OF HIS COMRADES AT RINCON

Partisans of Leader of Juchitan Rebellion Are Parading Streets and Denouncing Madero's Regime.

GENERAL REYES IS SAID TO BE ILL

There Is a Suspicion However, That He May Have Secretly Departed from San Antonio for Mexican Border.

(By Evening Herald A. P. Leased Wire) Mexico City, Dec. 6.—Great excitement reigns at San Genonimo and Oaxaca in connection with the killing of Jose Gomez, leader of the Juchitan rebellion, who was lynched yesterday at Rincon Antonio with eight of his partisans. Many of his former followers are flocking to these cities, protesting their loyalty to Gomez.

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MEXICAN MINING CO. SELECTS NEW OFFICIALS

Disbanded With Management of Concessions, Stockholders Met and Re-Organized Directorate.

(By Evening Herald A. P. Leased Wire) San Francisco, Cal., Dec. 6.—Disbanded with the management of the company's affairs, stockholders of the Mexican Mining company created the executive power from the former directors and changed the personnel of the board.

The new board consists of H. L. Stinson, Jr., W. C. Ralston, J. Landers, G. E. Arrowsmith and Herman Zading.